

## **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

Claims 1-25 (cancelled).

26. (Previously presented) A writing instrument for alternatively writing on a surface and for interfacing with a touch sensitive display, the writing instrument comprising:

an elongated body having a first end having a writing tip and a second end; and

a cap having a first end having a first aperture adapted to receive the first end of the elongated body and also adapted to receive the second end of the elongated body, the cap also having a second end having a second aperture with a retractable non-writing tip mounted therein, the non-writing tip being adapted for use with a touch sensitive display, wherein the second end of the elongated body cooperates with the cap to extend the non-writing tip outwardly from the second aperture as the cap receives the second end of the elongated body.

Claim 27 (cancelled).

28. (Previously presented) The writing instrument of claim 26, wherein the non-writing tip is fabricated from rubber.

29. (Previously presented) The writing instrument of claim 26, further comprising a source for generating a signal for remotely communicating with a personal digital device.

30. (Previously presented) The writing instrument of claim 29 further comprising a micro-switch for coupling the source for generating a signal to the writing tip.

31. (Previously presented) The writing instrument of claim 26 further comprising an ink supply positioned in the elongated body.

32. (Previously presented) The writing instrument of claim 29, wherein the source includes an electromechanical transmitter.

Claim 33-35 (cancelled).

36. (Currently amended) A cap for an instrument, the cap comprising:  
a first end for positioning over an end of the instrument; and  
a second end having an aperture, the aperture having a non-writing retractable tip mounted therein, the retractable tip being adapted for use with a touch sensitive display, the retractable tip movable between a first normal position retracted ~~within the second aperture~~ fully inside the cap and a second extended position extending out of the second aperture.

37. (New) The writing instrument of claim 31, wherein the second end of the elongated body is closed.